

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

JAMES TURNER,	:	
	:	CIVIL ACTION
Petitioner,	:	
	:	NO. 12-4361
v.	:	
	:	
TRACY JOHNS, et al.,	:	
	:	
Respondents.	:	

**ORDER**

**AND NOW**, this 26th day of November 2012, upon consideration of the Petition for Writ of Habeas Corpus (Doc. No. 1), Respondents' Response to Petition for Writ of Habeas Corpus (Doc. No. 9), Respondents' Supplemental Statement on Jurisdictional Objection (Doc. No. 11), and the Report and Recommendation of United States Magistrate Judge Carol Sandra Moore Wells (Doc. No. 12), it is **ORDERED** that:

1. The Report and Recommendation of Magistrate Judge Wells is **APPROVED** and **ADOPTED**.
2. The Petition for Writ of Habeas Corpus (Doc. No. 1) is **DENIED**.
3. All outstanding motions are **DENIED** as moot.
4. A certificate of appealability shall not issue because, for the reasons set forth in the Report and Recommendation, a reasonable jurist could not conclude that the Court is incorrect in denying and dismissing the habeas petition.

BY THE COURT:

/s/ Joel H. Slomksy  
JOEL H. SLOMSKY, J.